

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18722. Filing Assuming and Leaving Office Statements of Economic Interests; Alternates and Designees.

(a) For the purposes of Government Code sections 87202 and 87302:

(1) The date of assuming office is the date that a person either:

(A) Is authorized to serve in the position, as by being sworn in; or

(B) Except in the case of an elected official who is required to be sworn into office, begins to perform the duties of the position, as by making, participating in making, or attempting to use an official position to influence a governmental decision; whichever occurs earlier.

(2) For the purposes of Government Code sections 87202(a) and 87302(b), the date that a person is appointed or nominated to an office is the date the appointment or nomination is submitted to the confirming body.

(b) The date that a person permanently leaves office, for the purposes of Government Code sections 87204 and 87302, is the date that the person is no longer authorized to perform the duties of the office, and stops performing those duties, including making, participating in making, or attempting to use the person's official position to influence any governmental decision. For purposes of this subdivision, a person shall not be deemed to have left office permanently because the person is on a leave of absence or serves as an intermittent employee. However, a person shall be deemed to have left office permanently if the person merely receives compensation for accrued leave credits.

(c) Every person who holds an office specified in Government Code sections 87200 or 87302, subdivision (a), as an alternate or as a designee, shall be required to disclose the person's economic interests in the same manner as any other person holding the office.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87202, 87204 and 87302, Government Code.

HISTORY

1. New section filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41). For prior history, see Register 77, No. 14.

2. Amendment of subsections (a)(1)(B) and (b)-(c) filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).